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Dkt. 71701/JPW/AGC

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicants: Jayalekshmy Ayyer et al.  
Serial No.: 10/729,746 Examiner: T. Vanoy  
Filed : December 5, 2003 Group Art Unit: 1754  
For : A NOVEL CATALYST USED FOR REMOVAL OF HYDROGEN  
SULPHIDE FROM GAS STREAM AND ITS CONVERSION TO  
SULPHUR, A PROCESS FOR PREPARING SUCH CATALYST AND  
A METHOD FOR REMOVING OF HYDROGEN SULPHIDE USING  
SAID CATALYST

1185 Avenue of the Americas  
New York, New York 10036  
January 29, 2007

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

**COMMUNICATION IN RESPONSE TO DECEMBER 28, 2006 OFFICE ACTION**

This Communication is submitted in response to the Office Action issued by the U.S. Patent and Trademark Office on December 28, 2006 in connection with the above-identified application. A response to the December 28, 2006 Office Action is due January 28, 2007. However, since January 28, 2007 is a Sunday, a response filed on the next succeeding day which is not a Saturday, Sunday or Federal holiday, i.e. Monday, January 29, 2007, is to be considered timely under 37 C.F.R. §1.7. Accordingly, this Communication is being timely filed.

**Restriction Requirement Under 35 U.S.C. §121**

In the December 28, 2006 Office Action, the Examiner required restriction to one of the following allegedly independent and distinct inventions:

- I. Group I, claims 1-25 and 38, drawn to a catalyst and method for making the same; and
- II. Group II, claims 26-37, drawn to a method for removing sulfur compounds out of a gas.

The Examiner stated that the inventions are distinct, each from the other because the inventions of Groups I and II are directed to different inventions, i.e. catalyst product and process of use.

In response, applicants hereby elect with traverse Group I, i.e. claims 1-25 and 38. Applicants further urge the Examiner to reconsider and revise the restriction requirement and to examine all of the claims. Moreover, applicants maintain that if the claims of Group I are allowed, the claims of Group II should be rejoined if amended to incorporate all of the limitations of the broadest allowed claim of Group I.

In the December 28, 2006 Office Action, the Examiner also required an election of species although the Examiner did not specify which "species" he was referring to. Applicants have assumed that the Examiner is seeking an election of species within the genus of the clays and hereby elect with traverse the species bentonite clay (see claim 5).

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If a telephone interview would be of assistance in advancing prosecution of the subject application, applicants' undersigned attorney invites the Examiner to telephone him at the number provided below.

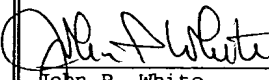
No fee is deemed necessary in connection with the filing of this Response. However, if any fee is required, authorization is hereby given to charge the amount of any such fee to Deposit Account No. 03-3125.

Respectfully submitted,



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I hereby certify that this correspondence is being deposited this date with the U.S. Postal Service with sufficient postage as first class mail in an envelope addressed to: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450

 11/29/07  
John P. White Date  
Reg. No. 28,678